

**IN THE UNITED STATES DISTRICT COURT FOR THE
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA

v.

QUANG ALEXANDER NGOC DO

Defendant.

Case No. 1:20-MJ-276

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF A COMPLAINT, ARREST WARRANT, AND
RESIDENCE AND VEHICLE SEARCH WARRANTS**

I, Michael T. Gruchacz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant is a Special Agent of the U.S. Department of Homeland Security, Homeland Security Investigations (“HSI”) and am currently assigned to the Global Trade Investigations (“GTI”) Group in Washington, DC. I have 21 years of law enforcement experience to include being employed as a Police Officer with the Washington DC Metropolitan Police Department and as a Special Agent with the United States Department of State. I have knowledge of the laws and regulations relating to the illegal exportation and importation of weapons, technology, and other controlled commodities. I am empowered by law to investigate and make arrests for violations of federal law, including the unlawful importation and exportation of merchandise and contraband into and out of the United States.

2. Based upon Your Affiant’s training, experience, and discussions with other federal agents related to the investigation of international import-related and National Firearms Act (“NFA”) violations, this Affiant is aware that suppressors, also known as silencers, vary by design and appearance, but all, when properly installed, will silence, muffle or diminish, the report of a portable firearm. *See* 18 U.S.C.

§ 921(a)(24). Under federal law, a suppressor or silencer is a type of firearm. *See* 26 U.S.C. 5845(a)(7). The making of a suppressor must be approved in advance by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). To make a silencer, an individual must file an ATF Form 1, which is an application to make a firearm, pay a \$200.00 USD tax, and comply with all other provisions of the law prior to making the firearm. *See* ATF Form 1 (*available at*: <https://www.atf.gov/file/11281/download>). (*last accessed*: October 6, 2020). Approval of Form 1 results in the registration of the firearm and any subsequent transfers must be approved in advanced by the ATF. ATF Form 6 is required to import firearms into the United States. *See* ATF Form 6 (*available at*: <https://www.atf.gov/firearms/docs/form/form-6-part-1-application-and-permit-importation-firearms-ammunition-and/download>) (*last accessed*: October 6, 2020).

3. Your Affiant is aware of devices and items that can be modified to act as suppressors for firearms. One such device is known as a “solvent trap” or “fuel filter.” The intended purpose of these devices is to trap and hold cleaning fluids and there should not be a hole or index mark in these items. A “solvent trap” or “oil filter” in and of itself may have a legitimate purpose of catching excess cleaning fluids and is not a silencer until modified. However, these devices can be manufactured with the intent of repurposing them as silencers. For example, the device may be sold with index markings to indicate where a hole should be drilled and/or the device may be sold with “spacers” which act as baffles that prevent the spreading of sound. A sound suppressor typically includes a metal tube with several interior baffles that form expansion chambers for which the gases expelled from the end of the firearm enter the expansion chambers and exit the suppressor. Under Title 18, United States Code, Section 921(a)(24), the “terms ‘firearm silencer’ and ‘firearm muffler’ mean any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned,

and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”

4. The facts set forth in this Affidavit are based on information that Your Affiant has obtained from my personal involvement in the investigation and from other law enforcement officers who have been involved in this investigation, on documents that I have reviewed, and on my training and experience.

5. This Affidavit is made in support of a criminal complaint and arrest warrant charging Quang Alexander Ngoc Do (“DO”) with violations of 26 U.S.C. § 5861(d), receive or possess unregistered firearms. This Affidavit is also being submitted for the limited purpose of applications for warrants to search: (1) 3813 Chanel Rd, Annandale VA 22003 and its curtilage (hereinafter TARGET RESIDENCE) and (2) a gray Infiniti four door sedan bearing Virginia license plate VEA-6975 (which is registered to DO), and Vehicle Identification Number JNKBV61F17M808391 (hereinafter TARGET VEHICLE) (the TARGET RESIDENCE and TARGET VEHICLE are described more fully in Attachment A) and to seize evidence, contraband, and instrumentalities of criminal activity that may be found therein. Specifically, criminal activity related to violations of 18 U.S.C. § 922(g)(1), felon in possession of a firearm and (a)(1)(A), transporting or shipping in interstate or foreign commerce; 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm. Because this Affidavit is being submitted for these limited purposes, I have not set forth all of the information known to me concerning this investigation. Instead, I have set forth information that I believe to be sufficient to establish probable cause for this complaint and these warrants.

RELEVANT STATUTES

6. 18 U.S.C. § 545 states in part that “[w]hoever knowingly and willfully, with intent to defraud the United States, smuggles, or clandestinely introduces or attempts to smuggle or clandestinely introduce into the United States any merchandise which should have been invoiced, or makes out or passes, or attempts to pass, through the customhouse any false, forged, or fraudulent invoice, or other document or paper; or whoever fraudulently or knowingly imports or brings into the United States, any merchandise contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law shall be fined under this title or imprisoned not more than 20 years, or both.”

7. 26 U.S.C. § 5861(a) provides that it is unlawful to engage in business as a manufacturer or importer of, or dealer in, firearms without having paid the special (occupational) tax, (d) provides that it shall be unlawful for any person to receive or possess a firearm which is not registered to him in the National Firearms Registry and Transfer Record, (f) provides that it shall be unlawful for any person to make a firearm in violation of the provisions of this chapter, (i) provides that it shall be unlawful for any person to receive or possess a firearm which is not identified by a serial number as required by this chapter, and (k) provides that it shall be unlawful for any person to receive or possess a firearm which has been imported or brought into the United States in violation of Section 5844.

8. 26 U.S.C. § 5844 provides that no firearm shall be imported or brought into the United States or any territory under its control or jurisdiction unless the importer establishes, under regulations as may be prescribed by the Secretary of the Treasury, that the firearm to be imported or brought in is—
(1) being imported or brought in for the use of the United States or any department, independent

establishment, or agency thereof or any State or possession or any political subdivision thereof; or

(2) being imported or brought in for scientific or research purposes; or

(3) being imported or brought in solely for testing or use as a model by a registered manufacturer or solely for use as a sample by a registered importer or registered dealer.

9. 27 CFR § 447.21 contains the U.S. Munitions Import List. Under subsection (d) of the U.S. Munitions Import List, category I—firearms, the following defense articles, designated pursuant to section 38(a) of the Arms Export Control Act, 22 U.S.C. § 2778(a), and E.O. 13637, are subject to controls: *(d) Firearms silencers and suppressors, including flash suppressors.*

10. 27 CFR § 447.52 lists import restrictions applicable to certain countries. Under subsection (a), it is the policy of the United States to deny licenses and other approvals with respect to defense articles and defense services originating in certain countries or areas. This policy applies to countries or areas with respect to which the United States maintains an arms embargo, including China. It also applies when an import would not be in furtherance of world peace and the security and foreign policy of the United States.

11. 18 USC § 922(g)(1) states that “[i]t shall be unlawful for any person—who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year; to possess a firearm.”

12. 18 USC § 922(a)(1)(A) states “[i]t shall be unlawful—for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or in the course of such business to ship, transport, or receive any firearm in interstate or foreign commerce.”

DEFINITIONS

13. For the purpose of this Affidavit, the following terms are defined:

- a) CONTROLLED DELIVERY – The technique of allowing illicit or suspect goods to pass out of, through, or into the United States under supervision of an authorized law enforcement officer, with the goal of identifying persons involved in criminal activity.
- b) CUSTOMS DECLARATION – A hard copy or electronic form on which is “declared” or listed, the details of any goods that are being imported or exported to/from the United States, whether by means of commercial shipments or in-person. Mailing goods into or out of the United States also requires the sending party to complete a customs declaration form.
- c) FIREARM – The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device (Title 18, United States Code, Section 921(a)(3)).
- d) FIREARM SILENCER or FIREARM MUFLER – The terms “firearm silencer” and “firearm muffler” mean any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication (Title 18, United States Code, Section 921(a)(24)). According to information received from the Bureau

of Alcohol, Tobacco, Firearms & Explosives (“ATF”), legitimate solvent traps are devices attached to the muzzle of a firearm barrel designed to catch or “trap” dirty cleaning solvent pushed through the barrel from the chamber end and out through the muzzle. Solvent traps are intended to prevent solvent from dripping, spraying, or spattering when pushed out the muzzle end of a firearm barrel. **The front end-cap of a solvent trap/fuel filter must be solid and have no hole that will allow a projectile to pass through (including “pilot” holes that can be widened to allow a projectile to pass-through or marks indicating the location to drill such a hole). Devices that have a hole in or indexing mark for a hole in the front end-cap are classified as a “firearm silencer” under the National Firearms Act (“NFA”). See ATF Firearms & Ammunition Technology Division, Technical Bulletin 20-01 (Oct. 30, 2019).**

- e) SMUGGLING – Fraudulently or knowingly importing or bringing into the United States, any merchandise contrary to law, or receiving, concealing, buying, selling, or in any manner facilitating the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law (Title 18, United States Code, Section 545).
- f) MERCHANDISE and GOODS – Interchangeable terms both describing anything that can be imported or exported from the United States.
- g) EXTENDED BORDER SEARCH – This is an extension of a customs officer’s authority to conduct warrantless searches of people, cargo, and means of transport, including mail, for unlawfully imported or exported goods at the borders of the United

States. The extension pertains to searches away from the border where there is reasonable certainty a border was crossed, reasonable certainty that no change in the object of the search has occurred from the time a border was crossed and the time of the search, and reasonable suspicion criminal activity is occurring.

SUBJECT OF INVESTIGATION

14. Quang Alexander Ngoc DO (“DO”) was born in Virginia and is a resident of Annandale, Virginia. On January 18, 2012, DO was arrested at his residence in Annandale, Virginia on seven counts of possession of child pornography with the intent to distribute. On September 27, 2013, DO was found guilty and convicted of seven felony charges. Because Annandale, Virginia is within the jurisdiction of Fairfax County, I requested assistance from an HSI Task Force Officer (“TFO”) with Title 19 Customs Authority who works for the Fairfax County Police Criminal Intelligence Division. According to the HSI TFO, at the time of DO’s arrest a bullet resistant vest and several firearms were taken for “safe keeping,” including two 9mm pistols; a CZ75 model semi-automatic pistol; a AP15 rifle; a revolver; a shotgun; a .22 caliber long rifle; a 59/66 model rifle; and a M1911 .45 caliber pistol. Subsequently, DO took back possession of these items from the property clerk prior to his conviction in 2013. ATF Trace history shows that prior to his arrest in 2012, DO purchased all of these firearms, except the M1911 .45 caliber pistol, which was purchased by a third party. It is not known how DO came to possess this weapon at the time of his arrest.

15. As a felon, DO cannot possess a firearm and has been made aware of this prohibition. Your Affiant has reviewed DO’s signed Conditions of Probation Supervision dated April 28, 2014, which includes the following provision: “I will not use, own, possess, transport or carry a firearm.” The form includes a handwritten modification two lines above the firearm provision banning alcohol

consumption. DO is no longer on probation. Further, DO has not petitioned to restore his right to possess firearms as confirmed by Your Affiant with the Fairfax County Circuit Court on April 8, 2020.

16. I have conducted surveillance at 3813 Chanel Rd, Annandale, Virginia and have seen DO exit and enter the residence on numerous occasions. DO also has the TARGET Vehicle registered to him at this location through December 31, 2020, and his Virginia driver's license indicates that 3813 Chanel Rd, Annandale, Virginia is his residence. I have seen DO drive the TARGET VEHICLE during surveillance and know from my training and experience that it is common for individuals to keep receipts from purchases inside of vehicles as well as for individuals to conceal firearms inside of vehicles, specifically felons who try to conceal the fact that they have access to firearms. As recently as October 6, 2020, I viewed footage, recorded earlier that day, from a pole camera located outside the TARGET RESIDENCE of DO leaving the TARGET RESIDENCE in the TARGET VEHICLE.

PREVIOUS JUDICIAL PROCESS

17. A search warrant was obtained from The Honorable Magistrate Judge Michael S. Nachmanoff on April 17, 2020, for TARGET ACCOUNT 1 (QND.BUSINESS@GMAIL.COM), which has been used to set up Postal accounts and make numerous purchases of firearm components from eBay, Inc. and other vendors. On April 24, 2020, a search warrant was obtained for a second email account, TARGET ACCOUNT 2 (AND.BUSINESS@VERIZON.NET) from The Honorable Magistrate Judge John F. Anderson. Evidence contained within these accounts allowed law enforcement to link Paypal, Inc., eBay, Inc., Amazon, and other retailers together, further identifying firearms related purchases.

18. On April 26, 2020, I obtained records from Paypal, Inc. via subpoena which indicate that account XXXXXXXXXXXX33347 was created on April 16, 2003 by Alex DO, listing his Social Security number and TARGET ACCOUNT 2 as the contact email address. The street address linked to this same

Paypal account is 3813 Chanel Rd, Annandale, VA. A review of this Paypal account indicates numerous online purchases of merchandise from manufacturers and distributors of firearm components from July 2016 to April of 2020. Many of the purchases were made through eBay, Inc. which lists TARGET ACCOUNT 1 as the email contact. The fact that DO is actively using eBay and Paypal further links TARGET ACCOUNT 1 and TARGET ACCOUNT 2.

STATEMENT OF FACTS AND PROBABLE CAUSE

19. Since in and around October 2019, HSI has been investigating certain unlawful importations of firearms and related controlled components into the United States, specifically, those originating from sources in China and elsewhere. HSI and CBP began targeting known manufacturers and shippers of silencers and placing “holds” on the packages so that they could be detained and seized if/when encountered at a U.S. Port of Entry. According to the ATF, recently there has been an influx of counterfeit or non-regulated suppressors entering the United States via foreign sources. ATF has encountered these suppressors and partnered with HSI and Customs and Border Protection (“CBP”) to combat the flow of these suppressors into the United States. Since this operation has commenced, there have been over 12,000 of these devices seized at the U.S. Ports of Entry and during investigative controlled deliveries targeting individuals who received the items contrary to law.

20. Based on my training and experience, inline filters, fuel filters, solvent traps as well as other descriptions of devices coming from China are marketed as being used in vehicles as fuel filters as well as screwed onto the end of a barrel to “catch” cleaning solvents. During this investigation I have encountered several types of these devices that I believe are being converted into silencers. Monolithic core devices which consist of a one piece core surrounded by a metal sleeve, stacked baffle device, which has several metal pieces stacked inside of a tube that can be custom cut depending on the need of the

user and K baffles, which are similar to stacked baffles but have a more cone shape baffle inside of the metal tube. A sound suppressor typically includes a metal tube with several interior baffles that form expansion chambers from which the gases expelled from the end of the firearm enter the expansion chambers and exit the suppressor. Based on analysis of previous seizures, I believe that a stacked baffle and K baffle silencer weighs approximately .13 KG-.18 KG and a monolithic silencer weighs approximately .25 KG.

21. On March 16, 2020, HSI DC GTI received information from HSI HQ Trade and Transparency Group regarding DO, a resident of Annandale, Virginia who was the recipient of a package being shipped to him from China, believed to contain a silencer. I obtained information that DO was expecting a parcel from China, LS264726754CN, sent from “Jack.” The parcel weighed .28 KG and was manifested as “FUEL FILTERFS01251S2BK.” The parcel was addressed to Alex DO at 3813 Chanel Rd, Annandale, Virginia. An Internet check of the part number indicates that the part is a solvent trap silencer. The phone associated with this order is 337-XXXX. This is the same phone number listed on DO’s U.S. Passport application.

22. On March 19, 2020, on an unrelated case, I seized a parcel that came from China to the JFK International Mail Facility manifested as “FUEL FILTERFS01251S2BK.” The parcel contained a silencer with an index mark for drilling. I conducted further research regarding packages coming from China containing part name “FUEL FILTERFS01251S2BK.” Research by CBP indicates that there are currently 213 shipments on hold with part name “FUEL FILTERFS01251S2BK” and 89 have already been seized by CBP containing silencers with index marks for drilling. An open source Internet search of FUEL FILTERFS01251S2BK directs the searcher to several domains selling silencers. *See* photo in Attachment C.

23. Based on the information regarding the above-listed parcel, that was inbound to DO, I conducted research and obtained the assistance of the United States Postal Inspection Service (“USPIS”). Based on information from USPIS, DO was identified as receiving another parcel from China on March 11, 2020, shipping number LN841176794CN. The parcel was addressed to “Alex Do” at 3813 Chanel Rd and listed phone number 337-XXXX, the same number listed on his U.S. Passport. The package was manifested as “Fuel Filter XH-6125A.” The parcel weighed 0.26 KG, the approximate weight of two stacked baffle silencers or one monolithic core silencer. Researching previous CBP seizures at U.S. Ports of Entry revealed numerous seizures of silencers from China with part number XH6125A in the shipping label. I have identified at least five parcels from China, destined for other individuals in the United States that had part name XH6125A on the parcel and contained silencers with index marks for drilling. An Internet search of part XH-6125 directs browsers to an Ali Express and other web sites for the purchase of monolithic core silencers.

24. According to USPIS, DO registered an account with the United States Postal Service on July 12, 2018, listing TARGET ACCOUNT 1 as the email point of contact. Further tying DO to TARGET ACCOUNT 1 (QND.BUSINESS@GMAIL.COM), the email address appears to incorporate three of DO’s initials: QND. The phone number listed is 571-337-XXXX, the same number used on the parcels and passport application. The IP Address used to register is 173.6.151.242, which returns to Annandale, Virginia.

25. Additional research from USPIS revealed the above-listed IP address checking on the shipment status and location of several packages, one a parcel from Hughes Precision, a Federal Firearms Dealer (“FFL”) in Indian River, Michigan, and manufacturer of silencers and firearm components that was shipped to “ALEX DO” at 3813 Chanel Rd, Annandale, Virginia. Parcel number

9400109205568592916182 was delivered to this address on March 11, 2020. Records indicate that the above listed IP address also checked on the suspected silencer that is coming from China.

EBAY EVIDENCE

26. Utilizing a law enforcement database, I conducted a search of DO's identifiers and was directed to an eBay screen name "and.business" which directed me to an eBay review of a product for grip tape that was posted on July 23, 2017. There was also a review for seller "rlhughes." A click of the link for "rlhughes" directs the browser to a webstore for Hughes Precision as discussed in paragraph 25 above. Account "and.business" is open for anyone to review postings that were made by the account holder regarding products purchased. I also noticed several other reviews for purchases of firearm parts by the account holder.

27. Based on this evidence, I contacted eBay, Inc. regarding screen name "and.business" and served a subpoena for records regarding "and.business." According to eBay, Inc., "Alex DO" registered this account on May 27, 2002, and listed 3813 Chanel Rd, Annandale, Virginia as the address and "571337XXXX" as the phone number. TARGET ACCOUNT 1 is listed as the primary email account. When setting up an account with eBay, the subscriber must provide their name, address, choose a screen name and provide a phone number and valid email address. According to eBay, "We'll send notifications about all of your account activity to your registered email address, so it's important to keep it current." Based on my training and experience, I know that orders placed and reviews or comments regarding products made by an account holder are sent to the email address the account holder provided when subscribing for an account.

28. I contacted Hughes Precision regarding the order that DO placed on March 7, 2020, via their eBay site. DO ordered a barrel extension, part Barrel EXTENSION, Threaded Adapter .7 (3/4")

Length by 1/2-28 TPI to 1/2-28 TPI. On the website the description of the product is “The Barrel Extension fits 1/2”-28 threaded barrels, when installed it extends the barrel length by .7” (approximately 3/4 of an inch) to get that little extra length you need for some suppressors and devices to clear the hand guard.” The screen name for the eBay Account Hughes Precision had on file is “and.business”. DO provided feedback via the eBay website regarding the purchase stating that he “received the item quickly and as described A+”

29. I read the review posted by screen name “and.business” (discussed in paragraph 26 above) that was placed on eBay on July 23, 2017 for “8” x 4” Gun, Tool and Cell Phone Thin Textured Rubberized Grip Tape.” (It should be noted that 2017 was approximately four years after DO was convicted of a felony in Virginia). Screen name “and.business” gave the product five stars and stated “Tennis type grip with texture. Great for handguns. I used this to add grip to the front and back of pistol frame to supplement the G10 panel grips along with a portion of the sides of the slide on my CZ75. Wow do they feel great. The grip reminds me of a tennis racquet grip wrap except with a texture. It doesn’t feel sticky but just like a racquet wrap, even if you have sweaty hands, it doesn’t feel like it will slip at all. The adhesive on the back is very sticky and time will tell how long it will last. But so far, it seems very strong. It is pretty thick so even if the surface you are applying to is a little uneven or rough, it will attach nicely. Going around the curves of a pistol grip was no problem and sticks completely flush. I highly [sic] recommend this and for the price, it is a no brainer.” As described above, when DO was arrested in 2012, he had a CZ75 seized from and then returned prior to his conviction.

30. Utilizing an undercover email account, I contacted DO by clicking on the “and.business” link in the review that would send an email to TARGET ACCOUNT 1, which is linked to DO’s account. I asked DO about his review stating “have you had a problem with this stuff moving or sliding while

shooting? used it on my AR and the stuff on the foregrip slides?” This was an attempt to determine if DO still had access to firearms as a convicted felon. DO responded **“Mine stayed in place for a long time before they had to be replaced after wearing out from usage. Like any adhesive, the surface prep is key, especially if it is plastic. I recommend you take some 600 grit sand paper and just scuff up the surface a little for your fore-grip so it the adhesive has some to bite on to. Then clean the surface with alcohol to remove any oils. I do not know if it this step is necessary, but I would clamp the tape down for 15-30 minutes if possible. . . . It has been a while since I purchased this product, so I do not know if it has changed, but some of my handguns still have them on just fine. Most of the time I just used it for metal slides.”**

31. On February 19, 2020, DO ordered “9mm Premium Upper Parts Kit w/ Upgrades for Glock, P80 PF940C, P80 PF940V2 - v1” from a website COOLFX based out of Sterling, Virginia. On March 1, 2020, DO ordered “Serpico LYTE Gen 3-4 Aluminum Enhanced Trigger Shoe fits Glock and P80 9MM / .40” from Serpico Performance. On March 7, DO ordered “Primary Weapons Systems PWS Barrel comp Timing Alignment Shim Clock Kit 1/2x28” from a company called TACDOM. On March 17, 2020, DO ordered “Magorui Aluminum Compact Pro Magwell for Glock 19 23 32 38 GEN 3 / 4” from a webstore named MAGORUI2017. The IP address used to make these purchases is 173.66.151.242, the same IP address checking on the shipment location and status of a parcel containing a suspected silencer.

32. A second subpoena was served on eBay to determine if DO was still ordering firearms related parts since the issuance of the original Grand Jury Subpoena on April 6, 2020. Purchases made after April 2020 include the following. On August 20, 2020 DO purchased “4 PC Heat Resistant Rifle Weaver Picatinny Ladder Rail Cover Black.” On August 18, 2020, DO purchased “Kaw Valley

Precision 1/2x36 to 1/2x28 Barrel Muzzle Thread Adapter/Converter.” On June 21, 2020, DO purchased “Sylvan Arms 9mm Loader Block Adapter to Fit Glock or Colt.”

EVIDENCE FROM SEARCH OF TARGET ACCOUNT 1

33. As previously stated in paragraphs 17 and 18, I obtained a search warrant for TARGET ACCOUNT 1 and have reviewed evidence contained within the stored data. Numerous emails regarding the ordering of firearm components and silencers were seen within the folders of TARGET ACCOUNT 1. The emails support probable cause that DO has received silencers in the mail and has received firearm components and that those silencers and components are in the residence of DO at 3813 Chanel Ct, Annandale, Virginia. For example, an email dated March 10, 2020, from ALI EXPRESS to TARGET ACCOUNT 1 stated “Confirm that you got your package, Hi Alex Do, Your order 8011022144050524, Aluminum Solvent Trap 1/2-28 5/8-24 Fuel Filter for NAPA 4003 WIX 24003 Black Gray, Order Time: 2020-02-27 00:41, Payment Time: 2020-02-27 00:41, Shipping Address Annandale, Virginia, 3813 chanel rd, US.”

34. Another email dated March 23, 2020, from eBay to TARGET ACCOUNT 1 stated, “Hi Alex, your order has arrived!

Delivered to:
Alex Do
3813 Chanel RD
Annandale, VA, 22003-2026
United States

Dropped off:
Mar-23 13:58 PDT
Carrier: USPS
Tracking number:
9400109898642425689611
Magorui Aluminum Compact Pro Magwell for Glock 19 23 32 38 GEN 3 /4.

35. Another email dated August 1, 2016, from eBay sent to TARGET ACCOUNT 1 stated,

“Hi Alex - Your order has shipped to 3813 Chanel RD, Maglula UpLULA [GENERIC] Universal Pistol Speed Loader 9mm-45.” As a convicted felon, DO cannot possess firearms or ammunition.

36. In another email dated December 2, 2012, after DO’s arrest for possession of child pornography but before his conviction, DO ordered “Forearm BLK Includes one 2” & 4” rail Free Floating .223 Rem 12 and requested to change the order to Troy 13” rails (model: STRX-AL1-13xT-01 / Your item# 310520969583).” A search of these part numbers on open source indicate that they are handguards for a .223 caliber rifle.

37. In summary, there is probable cause to believe that DO and other co-conspirators and others knowingly and willfully conspired and imported firearms/silencers/parts for silencers into the United States and to the TARGET RESIDENCE.

EVIDENCE FROM SEARCH OF TARGET ACCOUNT 2

38. The following emails were found upon the execution of a search warrant on TARGET ACCOUNT 2. In an email dated August 11, 2015, and authored by DO’s sister to an establishment from which DO was seeking employment contained character information and a plea for DO to be allowed to keep his job. In the email, DO’s sister wrote, “Alex has struggled with the stigma of being a convicted felon for over two years.”

39. In an email dated March 24, 2020, FEDEX sent an email stating, “Hi, Alex Do. Your package from DIY Holster LLC was delivered on Tue 3/24/2020 at 9:35am.”

40. On February 29, 2020, DO received an email stating, “Hi Alex, Just to let you know — we’ve received your order #15942, and it is now being processed, BROWNELLS GLOCK RMR CUT SLIDE ADAPTER PLATE - 6-32 x 1/4.”

41. On March 2, 2020, DO sent an email to a weapons retailer stating, “I tried contacting you

to cancel my order. The phone gets a busy tone and I sent an email to Beau@chpws.com. I would like to cancel my order because I decided to get an RMR instead of trying to adapt RMR cut for the Vortex Venom.” I know from training and experience that RMR is a type of holographic optic used for pistols. A holographic weapon sight or holographic diffraction sight is a non-magnifying gunsight that allows the user to look through a glass optical window and see a holographic reticle image superimposed at a distance on the field of view. The hologram of the reticle is built into the window and is illuminated by a laser diode. The fact that DO is purchasing such a device indicates that he has a pistol or pistols as a convicted felon.

42. On April 19, 2020 DO received an email from Classic Firearms asking for DO to rate his transaction of his purchase of “Glock 9mm 15 Rd Capacity Mag. Steel Lined and Reinforced Polymer Body.” This email indicates that DO purchased a magazine for a Glock.

43. On February 23, 2020, DO received an email from Amazon regarding a “Glock Suppressor Low Set (TG13GL4A).” A review on Amazon’s website indicates that these are Glock sights specially designed to clear the height required to compensate for a suppressor.

44. DO had a PDF document contained within his email data titled “The Ultimate Belly Band Holster Owner’s Manual.” This document indicates that DO, a convicted felon, is carrying firearms concealed. Another PDF document contains instructions on how to install a rifle sling.

45. On April 23, 2020, DO received an email from Aim Surplus, LLC. stating, “Thank you for your order... AimSurplus Glock 19 Barrel - N3.”

NAVY FEDERAL CREDIT UNION STATEMENTS

46. In June 2020, I reviewed banking statements from bank accounts maintained by DO and saw multiple purchases from firearm parts manufacturers and distributors. I contacted those companies

and served subpoenas to determine exactly what DO was buying. All items were shipped to the TARGET RESIDENCE.

47. DO purchased the following items from Brownells, Inc. On February 18, 2020, DO purchased a “Glock 19 Slide F&R cuts nitride and a shotgun bronze bore brush for a 12 gauge shotgun.” On May 11, 2020, DO purchased a “9mm luger rimless pistol finisher.” On June 17, 2020, DO purchased an AR-15 upper rifle receiver and a 3 pack of 9mm magazines.

48. On February 11, 2020, DO purchased a Polymer 80 Glock 19 pistol frame and a Glock lower parts kit from Rockey Brass, located in Columbus OH. The purchase of these items allows DO to build a Glock pistol that is virtually untraceable. On April 4, 2020, DO purchased 1000 rounds of 9mm ammunition from Black Bullets International, located in Alamo, TN.

49. Additionally, I reviewed purchase records that DO made from Primary ARMS, located in Houston, TX. The following items were made by DO on the following dates (notably, all of these dates are after DO’s conviction in 2013):

- a. September 1, 2016 – 3 Magpul PMAG 30 round M4 magazines;
- b. September 1, 2016 – Hogue Mil-spec collapsible buttstock;
- c. August 2, 2017 – Aero Precision AR-15 upper;
- d. November 26, 2018 – Primary Arms lower and Primary Arms push button microdot optic;
- e. March 31, 2020 – Magpul pistol grip and 200 lumen pistol light; and
- f. July 10, 2020 – Magpul angled foregrip and streamlight 90 lumen penlight.

50. On February 29, 2020, DO purchased a Glock RMR cut slide from C&H Precision Weapons LLC, located in Richmond Hill, GA and had it shipped to the TARGET RESIDENCE. On March 1, 2020, DO purchased a Holosun shake awake green dot sight from Palmetto State Armory,

located in Columbia, SC.

AMAZON PURCHASES

51. DO has made the following purchases of firearms-related items from Amazon between his conviction in 2013 and May 6, 2020:

- a. Primary Arms Classic Series 1-4x24 SFP Rifle Scope with Illuminated Duplex Dot Reticle;
- b. CMMG 0.22 LR Magazine Loader;
- c. Hoppe's Phosphor Bronze 5.56mm/.223cal AR Rifle Chamber Brush (Pack of 3);
- d. Condor Triple Pistol Mag Pouch;
- e. Condor Outdoor Triple M4/M16 Open Top Mag Pouch;
- f. Maglula Tactical 22UpLULA .22LR Converted Double-Stack Pistol Magazine Loader and Unloader;
- g. EAmber Bore Cleaner Snake Cleaning Kit Supplies Caliber Rifle Pistol Barrel Brush for .22 5.56 .308 7.62;
- h. Pistol 9mm 40 Cal 12/20 Gauge, 2 Pcs;
- i. Shooting Rest Bags;
- j. Front and Rear SandBag Stand Holders For Gun Rifle With 100 Pcs Cotton Swabs;
- k. ComfortTac XL Ultimate Belly Band Holster for Concealed Carry | Black | Fits Gun Smith and Wesson Bodyguard, Glock 19, 17, 42, 43, P238, Ruger LCP, and Similar Sized Guns | for Men and Women;
- l. W WIREGEAR Bench Block Universal Gun Bench Block Two-Sided Tool with a Non-Slip Mat Made of ---Durable Material Ideal for M1911 10/22s Pistol and Other Handguns Use for Gunsmithing;
- m. TRUGLO TFX Tritium and Fiber-Optic Xtreme Handgun Sights for Glock Pistols;

- n. Universal Sight Pusher Tool for Handguns - Easily Remove/Install Sights on Glocks, 1911, sig, and Others;
- o. AmeriGlo GL-506 Tall Sight Set for Glock Black Serrated Front and Flat Black Rear;
- p. Glow-ON Original Color Super Phosphorescent Gun Night Sights Paint Small 2.3 ml Vial. Concentrated -Super Bright Long Lasting Glow;
- q. WOLF TACTICAL Heavy Duty Rigger's Belt - Stiffened 2-Ply Nylon Gun Belt for Concealed Carry, EDC, Law Enforcement, First Responders;
- r. Quick Clip Pro Holster Tough Grip Clips, 3 Hole Adjustable Cant for IWB OWB Kydex, Leather, Hybrid -Holster Making. Tuckable Black Plastic w/Chicago Screw Hardware Made in USA;
- s. Gun Guy Gear Kydex Holster Hardware Kit - Repair Kit - 36 Pieces;
- t. Concealment Express Holster Claw Kit (IWB/Tuckable);
- u. CAT Combat Application Tourniquet - GEN 7 (Gray Time-Stamp);
- v. QuikClot Advanced Clotting Gauze - 3 x 24 in (2 Strips);
- x. STI 2 Point Rifle Sling - Adjustable Gun Sling with Fast-Loop and 1.25 inch Webbing for Hunting Sports and Outdoors;
- y. Sling Swivels (2-Pack), Sizes: 1", 1.25", & 1.5 inch, Rifle or Shotgun Sling Attachment Mounts, Black – Occult;
- z. Condor Tactical Belt;
- aa. Drymate Gun Cleaning Pad, Premium Gun Cleaning Mat - Absorbent/Waterproof - Protects Surfaces, -Contains Liquids - America's #1 Selling Gun Pad - Made in The USA; and
- bb. 24 Bolt Gas Rings (8 Sets), New and unused.


REQUEST FOR SEALING

52. It is respectfully requested that this Court issue an order sealing, until DO is arraigned, all papers submitted in support of this application for a complaint, arrest warrant, and search warrants,

including this Affidavit, the applications, and the warrants themselves. Your Affiant submits that the requested sealing is necessary because the information and items to be disclosed and seized are relevant to an ongoing investigation into the criminal activities described herein. Based upon my training and experience, Your Affiant has learned that criminals actively search the Internet for criminal complaints, arrest warrants, search warrants, and affidavits, and disseminate them to other criminals as they deem appropriate, such as by posting them publicly online. Premature disclosure of the contents of this Affidavit and related documents may compromise this ongoing investigation by, among other things, causing the subject to flee and the suspect to destroy or alter evidence.

CONCLUSION

53. Based on the following, I believe that there is probable cause for a complaint and arrest warrant for DO for crimes related to violations of 26 U.S.C. § 5861(d), receive or possess unregistered firearms. Additionally, based on the same information, Your Affiant believes there is probable cause to obtain a search warrant for the TARGET RESIDENCE and TARGET VEHICLE described in Attachment A for crimes related to violations of 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); 18 U.S.C. § 922(g)(1), felon in possession of a firearm and (a)(1)(A) transporting or shipping in interstate or foreign commerce; and 26 U.S.C. § 5844, illegal importation of a firearm. Your Affiant believes that a search of the TARGET RESIDENCE and the TARGET VEHICLE will yield fruits and instrumentalities of a crime as described in Attachment B.


Special Agent Michael Gruchacz
Homeland Security Investigations
U.S. Department of Homeland Security

Respectfully submitted and attested to in
Accordance with the requirements of Fed. R. Crim.
P. 4.1 via telephone this 9th day of October, 2020



Digitally signed by Theresa
Carroll Buchanan
Date: 2020.10.09 15:33:52
-04'00'

HON. THERESA C. BUCHANAN
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

PROPERTY TO BE SEARCHED

The property to be searched is located at 3813 Chanel Rd, Annandale Virginia 22003, to include the residence and any computer or storage medium located within the residence belonging to DO, and a grey Infiniti four door sedan bearing Virginia license plate VEA-6975 and VIN JNKBV61F17M808391. The residence is described as a two-story house with a brick facade in the front, dark colored shutters and front door. 3813 is clearly posted on a pillar at the base of the driveway.





ATTACHMENT B

The items to be searched for and seized are as follows:

1. Evidence, fruits, and instrumentalities of violations of: 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm.
2. Any and all records including financial information, including tax returns and Internal Revenue Service filings, and any work papers related thereto; bank, credit or securities account statements, applications, deposit tickets, receipts, canceled checks, cashier checks, money orders, wire transfer records, debit/credit memos; financial ledgers, journals, investment records, real estate records, other records of assets; records of or related to contributions, grants or disbursements made or received, and/or allocations; loan records, financial statements, audit work papers, audit reports (or correspondence, transmittals or document related to any of the foregoing) related to the conspiracy.
3. Records, receipts, and document pertaining to travel between the United States and other countries and travel within the United States.
4. Records, receipts, and documents pertaining to the transfer of money to, from, and within the United States.
5. Any and all immigration documents, passports, visas, and documents that could be submitted in behalf of an application for a visa, travel documents, United States and foreign identification documents, identity cards issued by any foreign government, travel records including itineraries and receipt stubs, and airline tickets.
6. Diaries, organizers, day planners, appointment books, telephone message pads, address books and the like.
7. All identification documents reflecting the use of an alias, fictitious, or nominee name, including passports, Social Security cards, immigration papers (to include but not limited to green cards, work permits, visa) driver's license (domestic or foreign), and state identification cards (domestic or foreign).
8. All electronic storage devices and disks, input/output peripheral devices, related software, documentation, and data security devices (including passwords) necessary to ensure the reliable analysis and retrieval of the foregoing electronic and tangible objects by a qualified expert, including any and all cellular telephones.
9. Computers and computer hardware, meaning any and all computer equipment including any electronic, magnetic, optical, or similar computer impulses or data, network equipment and

peripherals, the software to operate them, and any data processing hardware.

10. Any and all information and/or data stored in the form of magnetic, digital, or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment. This media includes but is not limited to floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, videocassettes, and any other media, which is capable of storing magnetic coding.

11. Any and all electronic devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data. These devices include but are not limited to computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices.

A) In my training and experience, some cell phone owners “lock” their devices, preventing others from accessing their mobile devices without entering a password, PIN number, pattern lock code, biometrics or other method. Your Affiant knows that accessing “locked” mobile devices can be difficult without the correct password, pattern lock or biometric information. If the items seized are locked with biometric features, such as fingerprints or facial recognition, Your Affiant believes it may be necessary to place mobile devices on the fingerprints or in front of the facial features of any occupants present in the TARGET RESIDENCE and the TARGET VEHICLE in order to unlock the devices.

B) In my training and experience, an individual who is in possession of a device or has the device among his or her belongings at the time the device is found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose biometric features are among those that will unlock the device, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, Your Affiant knows that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any occupant of the TARGET RESIDENCE and the TARGET VEHICLE to press their finger(s) against the sensor of any locked device(s) found during the search of the TARGET RESIDENCE and the TARGET VEHICLE in order to attempt to identify the device’s user(s) and unlock the device(s) via biometric features.

12. Any and all instructions or programs stored in the form of electronic or magnetic media, which are capable of being interpreted by a computer, or related components. The items to be seized could include but would not be limited to operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, DSL lines, cable lines, radio or other means of transmission.

13. Any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

14. Any and all firearms, firearms components, silencers, suppressors, bills of sale related to firearms and components and any and all paperwork related to the purchase, transfer, mailing or otherwise of firearms.

ATTACHMENT C

Package seized with silencers in unrelated case but manifested identical as discussed in paragraphs 21 and 22.

中国邮政 CHINA POST

IMPORTANT: The item(s) may be opened officially. Please print in English.

US 1F

LS242187620CN

FROM Jack YWNS
No. 1377, Chouzhou North Road
330782
JINHUA ZHEJIANG 322000
PHONE: 15558507777
收寄单位: 建德市江义马佛堂创业计划

SHIP TO: APISIT LEWIS
12055 BRIDLE POST PL
MANASSAS VIRGINIA 20112
UNITED STATES OF AMERICA

Certificate No. PHONE: 9109865074

No	Qty	Description of Contents	Kg	Val(US \$)	Goods Origin
1	2	fuel filter(FS01251S1BK) 滤清器(A06-040-01)(690743)	0.6	12.0	CN
Total Gross Weight (kg):			0.600	12.00	

I certify the particulars given in this customs declaration are correct. This does not contain any dangerous articles or articles prohibited by regulations or by postal or customs regulations. I have met all applicable export filing requirements under the Foreign Trade Regulations.

Sender's Signature & Date Signed: CN22

Contents of the above package.





CZ75 taken for safe keeping as discussed above in paragraphs 14, 29, and 30.



Review made by DO on his eBay account as discussed in paragraphs 26, 29, and 30.

Reviews (1)



8" x 4" Gun, Tool and Cell Phone Thin Textured Rubberized Grip Tape

★★★★★

Jul 23, 2017

Tennis type grip with texture. Great for handguns.

I used this to add grip to the front and back of pistol frame to supplement the G10 panel grips along with a portion of the sides of the slide on my CZ75. Wow do they feel great. The grip reminds me of a tennis racquet grip wrap except with a texture. It doesn't feel stic...[Read full review](#)

From: and.business
To: mikdeltorr_0
Sent: Apr-03-20 05:27

New message: Mine stayed in place for a long time ...



New message from: **and.business** (684 ★)

Mine stayed in place for a long time before they had to be replaced after wearing out from usage. Like any adhesive, the surface prep is key, especially if it is plastic. I recommend you take some 600 grit sand paper and just scuff up the surface a little for your fore-grip so it the adhesive has some to bite on to. Then clean the surface with alcohol to remove any oils. I do not know if it this step is necessary, but I would clamp the tape down for 15-30 minutes if possible.

It has been a while since I purchased this product, so I do not know if it has changed, but some of my handguns still have them on just fine. Most of the time I just used it for metal slides.

[Reply](#)


Your previous message

have you had a problem with this stuff moving or sliding while shooting? used it on my AR and the stuff on the foregrip slides

Get to know **and.business**

- Located: Annandale, VA, United States
- Member since: May 27, 2002

Internet search of part FS01251S2BK as discussed in paragraphs 21 and 22.



Sale

SPELAB 1/2"-28 5/8"-24 Fuel Trap Solvent Filter for NAPA 4003 WIX 24003

🔥 25 sold in last | sold in last 48 hours | hours

Availability In Stock

SKU: FS01251S2BK

Product Type

Vendor SPELAB

Size *

1/2-28 BLACK

1/2-28 SILVER

5/8-24 BLACK

5/8-24 SILVER

~~\$83.27 USD~~ **\$73.62 USD** -12%

Quantity:

-

1

+

Subtotal: \$73.62 USD

Internet search of part number XH-6125 from Ali Express as discussed in paragraph 23.

